

LOCAL AND GENERAL NEWS

Itemized Account of Doings in City and Country.

GIVEN UP FOR LOST.

Chances of the the Missing Vessel Coming into Port Given up by the Owners.

The Oregonian to-day says that the British, iron bark, Glenavon, Captain Tarney, which sailed from the Columbia on the 22d of August last, for Liverpool and upon which Omego Port sailed for Europe, has been given up for lost. It is 200 days since she sailed, and she was last spoken off the Western Islands, on December 21st. The ship which spoke her arrived in England January 10th, but nothing has been seen or heard of the Glenavon. She was 1008 tons register and was owned by R. C. Hale, of Cork. She was dispatched by Messrs. Taylor, Young & Co., and carried a cargo of salmon, flour, wheat and oil, valued at \$300,000.

FIRE ALARM.

The Fire Lads Have a Half a Mile Run But Threw No Water.

About half past ten o'clock this morning the roof of the east wing of the Willamette University boys' boarding hall caught fire from a defective flue. The fire was discovered at the University building before it had gained much headway and a number of students ran over and with a few buckets of water put out the flames. An alarm had in the meantime been rung and the fire departments responded promptly, arriving on the ground however after the fire was all out.

County Court.

The board of commissioners returned last night from Woodburn where they went to examine into the condition of a county bridge. They found the bridge to be in need of repairs, which will be ordered made soon. To-day the board has been kept busy auditing and allowing bills, and considering applications for rebates on taxes, which are quite numerous. They also today established a new county road, known as the "Archibald road," leading from the north east corner of E. Cranston's donation land claim to the north-west corner of Hargroves' burying ground.

Death of a Pioneer Woman.

Mrs. Mary Munkers died on Wednesday at her home near Seio, at the advanced age of 85 years and 6 months. The deceased was born in Missouri, and came to Oregon in 1848. Besides a wide circle of friends she leaves the following children to mourn her loss: T. M. Munkers, Preston Munkers, B. F. Munkers and Mrs. G. W. McDonald, of Seio, and Riley Munkers, James Munkers and Lizzie Estes, of Salem. The funeral occurred from the family residence near Seio and was attended by a large concourse of sorrowing relatives and friends.

Premature Dispatch.

The CAPITAL JOURNAL, in common with other evening papers who have telegraphic service, had a dispatch announcing the death of Emperor William of Germany, but it proved premature; the Emperor did not die yesterday. The papers on this side of the Atlantic were not the only ones who gave out the intelligence, as the dispatches of this morning contain the following: "All the Berlin papers announced the Emperor's death late in the afternoon." If the papers of his home city were deceived, those at this distance are excusable.

"She" Not Coming.

The Webster-Brady dramatic company, which some time ago engaged the opera house here and announced the spectacular drama of "She" for Monday, March 12th, has decided not to come to Salem. They required a guarantee of a \$400 house before completing arrangements and no one here felt like doing that. So "She" will give Salem the go by this leap year.

Had a Relapse.

Fred Kelly, the asylum attendant who was attacked by scarlet fever several days ago, has suffered a relapse and is now in a dangerous condition.

There is No Gambling in Salem.

Levi Hammer, who left yesterday for his home in the east, carried off nearly \$500 cleared up in a few game a night or two before.

Another Case.

Another case of scarlet fever has broken out at the asylum, a Chinese inmate of Ward No. 3 being the victim.

SUPREME COURT.

SALEM, March 8, 1888.
Joseph Holladay, app., vs. Esther Holladay, resp.; appeal from Multnomah county; argued and submitted.

SALEM, March 9th, 1888.
Peter Chrisman et al. resp., vs. W. S. Chrisman et al., contestant. Appeal from Lane county. Decree of the lower court affirmed; the costs and disbursements to be paid by the estate. Opinion by Lord C. J.

SYLLABUS.

When a will is shown to have been duly executed, there arises a presumption of sanity in favor of the testator, which at this stage of the proceedings, unless rebutted or overcome by counter evidence, will be sufficient to authorize the probate of the will.

When in a civil proceeding the question of sanity and insanity is directly in issue, while giving to the general presumption in favor of sanity all that may be family claimed for it, the burden of proving sanity is upon the party who asserts it. Testamentary capacity is mainly a question of fact to be determined from a consideration of all the evidence. The testator must have sufficient capacity to comprehend the condition of his property, his relation to the persons who were, should or might have been the object of his bounty, and the scope and bearings of the provisions of his will.

In deciding upon the capacity of the testator to make his will, it is the soundness of his mind and not the particular state of bodily health that is to be attended to; the latter may be in a state of extreme imbecility and yet he may possess sufficient understanding to direct how his property shall be disposed of. Old age, sickness, distress nor debility of body incapacitate, provided the testator has possession of his mental faculties and understands the business in which he is engaged. The real point in issue is testamentary capacity or incapacity at the precise date of the transaction—what his mental condition was before and after executing the will is only important as it throws light upon the mind and shows its actual condition when the will was executed. The law gives to every man of sound mind the right to dispose of his property by last will, and this is regarded as one of the most efficient means which he has in protracted life, or old age, to command the attention due his infirmities.

FIGHT AT COTTAGE GROVE.

Two Indians Have a Desperate Fight With Knives—Three Squaws Arrested.

A short time ago Cottage Grove was thrown into great excitement by an Indian and squaw appearing in that city with hands and arms covered with blood. They reported that two Indians living one mile from Cottage Grove had attacked each other with knives. The Indians names are Jim and Take. Jim stabbed Take in the bowels, letting part of them out. Take returned the compliment by cutting Jim across the face, arm and back. Dr. J. W. Harris has attended Take ever since. He is slowly recovering. Jim is in prison awaiting the result of the stab he gave Take. H. L. Dunn, of the Dunn hotel, it is supposed, was robbed by some of the said Indians. Three squaws were arrested. They claimed that they found a watch and chain and revolver lost by Dunn. They gave a straightforward account of where they found the articles. They were acquitted after fair and impartial hearing. H. L. Dunn recovered his property and paid costs, while the squaws wended their way to camp. —Portland News.

Delayed Trains.

The California express which should have passed down at 8 o'clock this morning, did not arrive here until nearly 4 p. m., having been delayed by a land slide on the Sacramento river 20 miles this side of Redding, Cal. The train ran into a large slide which threw the engine, tender and baggage car off the track. The engine was so badly damaged that another was sent for and a new track was built around and over the slide for the train to pass over.

Wants a Pardon.

It is understood that Henry A. Glenn, who was sent to the penitentiary from this county about 7 years ago for highway robbery, and who was a prominent figure in the outbreak five years ago, is trying to secure a pardon or a commutation of sentence. He is a hardened criminal and made himself notorious by his crimes. There can be no good reason for commuting his sentence.

SUPREME COURT DOCKET.

The following is the docket for the March term, 1888, of the Supreme Court.

FIRST DISTRICT.

Wm. M. Colvig, respondent, vs. Klamath county, appellant; appeal from Klamath.
C. A. Cogswell, respondent, vs. H. C. Wilson, appellant; appeal from Lake.

SECOND DISTRICT.

W. S. Humphrey and S. C. Flint, apps., vs. R. Phillips, et al., resps.; appeal from Douglas.

G. W. Weaver, app. vs. C. W. Johnson, resp.; appeal from Douglas.

G. R. Chrisman, app., vs. The State Insurance Company of Salem, Or., app.; appeal from Lane.

Jesse Sovereign, administrator of the estate of Johnna Goodehild, deceased, app., vs. S. M. Goran, resp.; appeal from Lane.

J. W. Rayburn, app., vs. J. J. Winant and Wm. M. Hoag, resp.; appeal from Benton.

THIRD DISTRICT.

J. I. Case Threshing Machine Company, app., vs. W. H. Smith, resp.; appeal from Marion.

Hembree et al., resps., vs. Peckman et al., app.; appeal from Yamhill.

James F. Bentley, resp., vs. William Chapman and G. W. Berry, apps.; appeal from Yamhill.

W. R. Savage, app., vs. J. E. Murphy, resp.; appeal from Marion.

Peter S. Brenner, resp., vs. M. Alexander, app.; appeal from Linn.

B. L. Hennessy, app., vs. Mary C. Wells, resp.; appeal from Polk.

FOURTH DISTRICT.

Pauline Clark, app., vs. Emma A. Mitchell, et al., resps.

W. B. Walker, app., vs. Louis Goldsmith, et al., resps.

H. L. Holgate, resp., vs. The Oregon Pacific Railroad company, app.

J. H. Steffen, app., vs. C. H. Hill, et al., resps.

Thomas J. Mountain, resp., vs. Multnomah county, app.

State of Or., resp., vs. Che Gong Fong Lung, Dick Chung Ling, Gee Long and Chee Sun, apps.

Northrup et al., apps., vs. P. A. Markham, resp.

The Portland Lumbering & Mfg Co., apps., vs. the city of East Portland, resp.

Narcissa D. Gaston, app., vs. the city of Portland, resp.

James Cooke, resp., vs. the Northern Pacific R. Co., app.

B. Vinder, resp., vs. Jno. Bigne, ex. of estate of Pierre Mauciet, et al., apps.

Mary J. Weber, resp., vs. Emil Weber, app.

H. L. E. Meyer et al., apps., vs. R. H. Thompson et al., resps.

Joseph Holladay, app., vs. Esther Holladay, resp.

Jno. Schmeier and Sophia Kirchoff, resps., vs. Anna Schmeier, app.

Hiram C. Brown and H. C. Page, apps., vs. E. O. Croson and Amanda Croson, resps.

Geo. Ansie et al., apps., vs. James Loynachan et al., resp.

Jno. Paulsen et al. respondent, vs. The City of Portland et al., apps.

FIFTH DISTRICT.

Henry Bunneman and Emil Martini, resps., vs. Max Wagner, app.; appeal from Clatsop.

I. W. Case, resp., vs. The Seaside Packing company, apps.; appeal from Clatsop.

SIXTH DISTRICT.

James Mitchell, resp., vs. Nelson Schoonover, adm. of the estate of M. B. Baird, app.; appeal from Union.

Jno. A. Tucker, resp., vs. Wm. Constable, et al. apps.; appeal from Union.

Union County, app., vs. F. M. Slocum, resp.; appeal from Union.

S. A. Pursel, app., vs. R. W. Deal and A. M. Hamilton resps.; appeal from Union.

SEVENTH DISTRICT.

James K. Kelly, app., vs. Dalles City, resp.; appeal from Wasco.

J. W. Coffin, resp., vs. A. D. Taylor, impladed with J. F. Dufar, app.

Geo. F. Beers, app., vs. Dalles City, resp.; appeal from Wasco.

Maggie Krause, resp., vs. George Herbert, app.; appeal from Wasco.

W. E. Sylvester, app., vs. Dalles City, resp.; appeal from Wasco.

J. M. Powell & Co., resp., vs. Wm. Heisler, app.; appeal from Wasco.

LOCAL NOTES.

Attorneys Belt and Nez Hayden went to Dallas this morning.

Frank Blackaby, a "Black" from Silverton, was in the city to-day.

The H. A. C. band has decided to give a minstrel entertainment some time in April.

Mrs. J. C. O'Reilly, of Portland, is visiting her sister Mrs. James Godfrey in this city.

Dr. L. L. Rowland is noticed on the streets again looking quite well after spending two weeks on his farm.

Bert Hatch, mate of the steamer Wm. M. Hoag, is confined to his home in this city by a fractured knee cap.

Stated convocation of Multnomah Royal Arch Chapter, No. 1, this evening at 7:30 o'clock. Work in M. M. Degree.

County Superintendent Peebles' children who have been quite ill at their grand parents in the Waldo Hills, are reported better.

Jay Francis, of Francis & Reed, Portland, was in the city to-day in the interests of the Northwestern Mutual Life Insurance company.

Prof. Yoder, for several years principal of the Silverton schools, returned yesterday from the east, where he went last fall to visit friends.

George G. Bingham and wife are at McMinnville attending the funeral of his brother, "Bobby," who died there yesterday morning.

Hon. John Allen, state senator from Polk county, was in the city to-day. He reports the republicans of Polk in good fighting trim for the coming fray.

Never make the future bear the expense of the past but commence at once to study practical economy by going to A. Strong & Co's and eating the best 25 cent meal in the city.

Messrs. Schriber & Pohle have rented the store room in the Williams & England block, lately vacated by Feshburn & Thoenmaker, and will occupy it with their carriage repository.

No matter how poor a man's memory may be he will always remember good treatment and that is why so many people remember A. Strong & Co's popular restaurant, 271 Commercial street.

Superintendent George A. Peebles delivered a lecture on "Theory and Practice of Teaching" in the University chapel at 11:15 this morning. The lecture was a most excellent one in every particular, giving evidence of a thorough practical knowledge of his subject, the result of deep study and close observation.

Still Manslaughtering.

Nelson Hoxhurst, better known as "Neise Hoxy," who killed a man in this city about twenty years ago and afterwards served a short term in the penitentiary for it, is still in the manslaughtering business. He is now practicing medicine in Peru, South America, and is doing good work decimating the population.

PROHIBITION CONVENTION.

SALEM, Feb. 22, 1888.
In accordance with the order of the Marion Co. Central Committee of the prohibition party, the County Convention of said party of Marion county will be held in the city of Salem on Friday, March 16, at 11 o'clock a. m. for the purpose of nominating candidates for county officers, and choosing 15 delegates to the Prohibition State Convention to be held in Portland, March 25, 1888. The basis of representation for the several precincts of the county in said county convention is fixed as follows: One delegate at large to each precinct and one additional for each ten votes cast for legislative ticket in the year of 1888.

Names: Salem Precinct 3 East Salem 7 North Salem 5 South Salem 5 Jefferson 2 Marion 2 Mehama 2 Stayton 5 Sublimity 2 Lincoln 3 Turner 5 Howel Prairie 3 Silverton 3 Garfield 2 Abiqua 3 Labiah 3 Gervais 3 Woodburn 1 Hubbard 3 Aurora 1 Butteville 3 Champoux 2 St. Paul 1 Fairfield 1

K. L. HERRARD, Secretary. G. W. DIMICK, Chairman.

LETTER LIST.

Following is the list of letters remaining in the postoffice, at Salem, Oregon, March 7, 1888. Parties calling for them will please say "advertised."

All letters published as non-delivered will be charged with one cent in addition to the regular postage.

And, Frank Anderson S W Belle Miss Anna Caldwell J W 2 Creah W M Honinger Norton Hunsinger Henry Huger Geo Last R Matthews H Osborne Miss L E Pool Mrs Annanda Jones Charles J Sheppard A D Smith Alice Will Hester Wheeler W T Williams Miss E M White Wm A Andrews, Alfred E Aytha Miss Cynthia Burton Blanche Christman Will Fern John Hardy W H Hunt Mrs E Harkwood Harry Magee Mary McDonald Dan A Parker Mrs L Paleigh Herbert Smith J J Starn Byron Thurg Geo Weber Louis Willard Mrs Sadie White Wm A W. H. OGDEN P. M.

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Roberts' Rules of Order.

SCRIBNER LOG BOOK. GILLCHRIST'S MANUAL FOR INFANTRY OFFICERS, (PRICE \$1.00). UPTON'S TACTICS AND REED'S REVISED EDITION, (50 CENTS).

For Fruit Growers:

PEAR CULTURE FOR PROFIT, (\$1.00). DOWNING'S REVISED NEW EDITION FRUITS AND FRUIT TREES OF AMERICA, (\$5.00). INSECTS INJURIOUS TO FRUITS, (\$3).

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Set Waverley, 12 " Half blue calf, " 32.50, " 17.50.
Set E. P. Roe, 15 " Cloth, " 22.50, " 18.00.
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